

SYDNEY CENTRAL CITY PLANNING PANEL

JRPP No	2018CCI023 - ADDENDUM TO ASSESSMENT REPORT
Date	17 September 2019
DA No.	DA/843/2018
LGA	Parramatta
Proposed development	Demolition, tree removal and construction of a 4 storey Residential Flat Building comprising 22 units over 1 level of basement parking. The application is to be determined by the Sydney Central City Planning Panel.
Street address	18-20 Irving Street, Parramatta NSW 2150
Property Description	Lot 30 DP 2633, Lot 1 DP 830369
Applicant	NSW Land and Housing Corporation
Owner	NSW Land and Housing Corporation
Recommendation	Refusal
Report by	Jonathan Cleary Team Leader – Development Assessments

1. Background

A report on this application was considered by the Sydney Central City Planning Panel (the Panel) on 4 September 2019. At that meeting, the Panel resolved to defer the decision for the following reasons:

1. *The Panel is concerned about the substantial size of the variation to the prescribed building height standard requested in this application.*
2. *The Panel recognises that the site of the proposed development has distinguishing characteristics which would enable it to satisfactorily accommodate a taller building but not to the extent of that currently proposed.*
3. *The Panel also recognises the merits of the current design proposal which is responsive to its context and provides a well-considered built form.*
4. *Notwithstanding the above, the proposal involves a substantial breach of the height control and would be somewhat higher than the tallest building in the immediate locality, that at 17-19 Irving Street.*

5. *The Panel agrees with the applicant that provision of additional affordable housing would be beneficial but notes that there is a need to balance this benefit with that gained from compliance with or achievement of the objectives of prescribed development standards.*
6. *Apart from building height the Panel believes the proposed development has merit taking into account measures now proposed to mitigate impacts from the garbage storage area, the rear deck and non-resident parking.*
7. *Accordingly, the Panel's decision is to defer determination and invite the applicant to prepare an amended design which would have much the same height above ground level as the tallest building in the locality which we understand to be 17-19 Irving Street.*

The purpose of this report is to supplement the original assessment by addressing relevant matters arising from the submission of amended plans.

2. Matters addressed in this report

This report considers the following:

- Amended plans submitted to Council from the applicant dated 13 September 2019
- Assessment of the amended plans in accordance with Clause 4.6 of PLEP 2011

2.1 Submission of amended plans

The applicant was forwarded the decision by the Panel to defer the determination of the application until amended plans were submitted addressing the non-compliance with the maximum height of the development.

In response, the applicant submitted amended plans on 13 September 2019. The amended plans show a reduction to the height of the parapet on the fourth storey by 560mm. Notwithstanding the changes to the parapet height, there appears to be no amendments to the height below the fourth storey. Further, the lift overrun remains with a maximum RL of 26.560.

It is noted however that the changes to the height is generally consistent with the development height at 17 – 19 Irving Street which was approved with a maximum RL height of 26.40.

The amended plans also provide a revised garbage storage area to address the concerns raised by an objector and by the Panel. The changes to the garage storage comprise of:

- Southern façade adjacent to the common boundary to be constructed of rendered and painted masonry to mitigate impacts on neighbouring property;
- Provision of louvres on the western, eastern and northern elevation to allow for natural ventilation
- Additional landscaping in front of the garbage enclosure to screen the structure and minimise visual impacts on the streetscape.

The rear deck was also amended to respond to the Panel's recommendations. The changes to the rear deck are as follows:

- The rear deck was lowered by 380mm to reduce overlooking opportunities to the adjoining property.

- Provision of landscaping along the length of the southern boundary to include a dense screen planting reaching a mature height of 7 metres.
- The fence height along the southern boundary has also been increased from 1.8 metres to 2.1 metres by the addition of 300mm of timber lattice to further minimise privacy impacts.

2.2 Council's Assessment of Amended Plans

HEIGHT

Under the amended plans, the variation sought is as follows:

Maximum height under PLEP 2011	Proposed Building Height (as amended)	Degree of variation and merit
11 metres	15.1 metres	4.1 metres or 37.3%

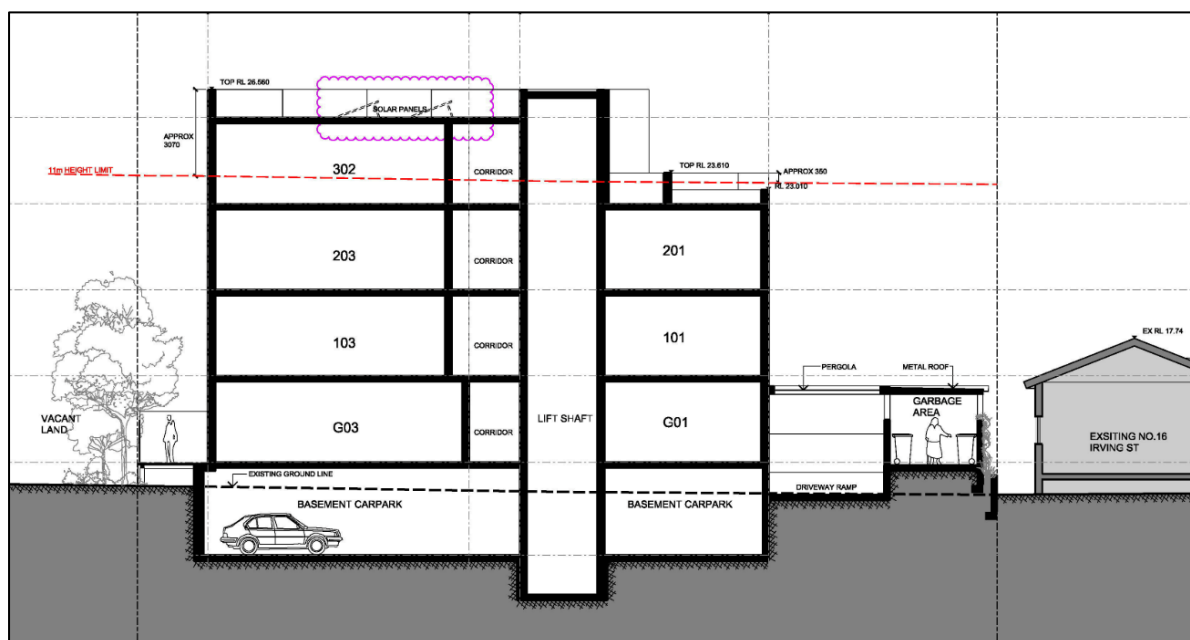


Figure 1: Extract of Section 4 showing exceedance in building height. (Original Plans)

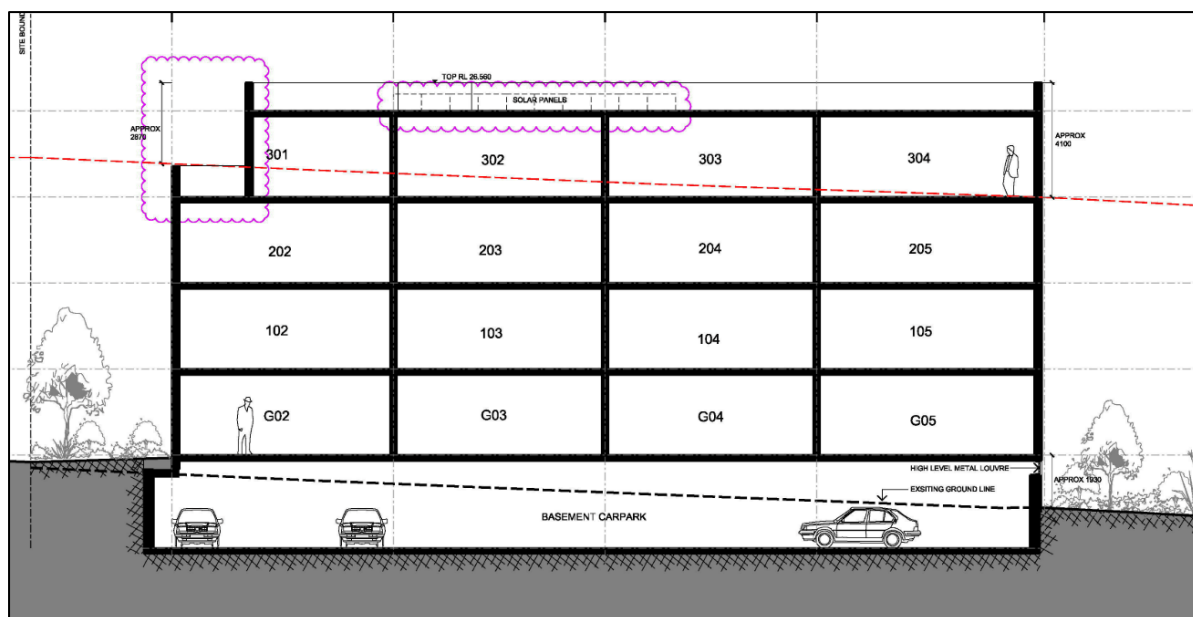


Figure 2: Extract of Section 3 showing exceedance in building height. (Original Plans)

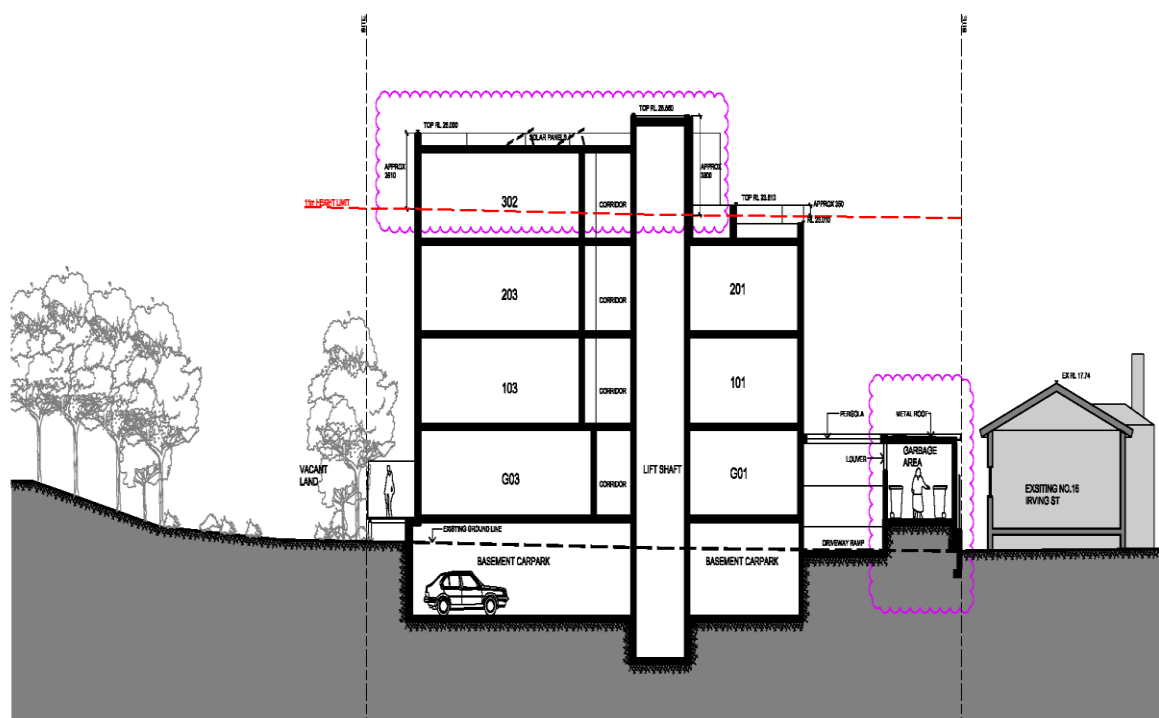


Figure 3: Extract of Section 4 showing exceedance in building height. (Amended Plans)

- The development standard has not been abandoned and there is not considered to be a predominant context that renders the development standard unnecessary.
- There are no site or contextual constraints that render the development standard unreasonable.

GARBAGE STORAGE AREA

As a result of the amendments to the garbage storage area, the presentation to the streetscape and adjoining properties is considered acceptable.

Council raises no objections to the amendments to the garage storage area as the changes appear to have addressed the amenity issues raised by the objector and by the Panel.

REAR DECK

Similarly, the changes to the rear deck to ensure that overlooking opportunities from this area of the development is limited is acceptable. The changes appear to address the concerns raised by the Panel.

2.3. Notification

The amended plans were not re-notified as the changes either improve the amenity impacts or does not result in additional adverse impacts to adjoining properties.

3 Summary and conclusion

The changes to the garbage storage area as well as the rear deck is considered to be sufficient in addressing the amenity issues raised by the objector as well as by the Panel.

However, Council cannot support the 560mm reduction to the height of the parapet given that the overall height of the development is maintained at 4 storeys with the fourth storey in its entirety located above the maximum height as per the original plans.

RECOMMENDATION - REFUSAL

That the Sydney Central City Planning Panel, exercising the functions of the consent authority, refuse DA/843/2018 for the demolition, tree removal and construction of 4 storey Residential Flat Building comprising 22 units over 1 levels of basement parking on land at 18-20 Irving Street, PARRAMATTA for the following reasons:

1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to achieve the design quality principles in Schedule 1 of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development with respect to Context and Neighbourhood Character, Built Form and Scale, Density, and Aesthetics;
2. In accordance with Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act, the proposed development is not compatible with the character of

the local area pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009;

3. In accordance with Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act, the proposal does not achieve the objectives of the R4 – High Density Residential zone of the Parramatta Local Environmental Plan 2011;
4. In accordance with Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act, the proposal does not comply with Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011;
5. In accordance with Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act, the proposal fails to provide sufficient justification to vary the development standards pursuant to Clause 4.6 of the Parramatta Local Environmental Plan 2011;
6. In accordance with Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act, the proposal fails to comply with the Parramatta Development Control Plan 2011 with respect to building height and building façade and articulation;
7. In accordance with Section 4.15 (1)(a)(iv) of the Environmental Planning and Assessment Act, insufficient information was submitted pursuant to Schedule 1 of the Environmental Planning and Assessment Regulation 2000 including an explanation of how the design principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development are addressed in the development.
8. In accordance with Section 4.15 (1)(c) of the Environmental Planning and Assessment Act, the site is not considered suitable for the proposed development;
9. In accordance with Section 4.15 (1)(e) of the Environmental Planning and Assessment Act, the proposal is not in the public interest.